

sub 25  
cont. a substitution of a nonpolar or uncharged polar amino acid is permitted at position number 9 of said sequence provided the compound has bone stimulatory activity.

C1 50. (New) The compound of claim 49, wherein the amino acid sequence of the compound comprises the amino acid sequence selected from the sequences as SEQ ID NOs: 44, 45 and 46.

51. (New) The compound of claim 50, wherein the amino acid sequence of the compound comprises the amino acid sequence identified as SEQ ID NO: 44.

sub 27 52. (New) The compound of claim 50, wherein the amino acid sequence of the compound comprises the amino acid sequence identified as SEQ ID NO: 45.

53. (New) The compound of claim 50, wherein the amino acid sequence of the compound comprises the amino acid sequence identified as SEQ ID NO: 46.

#### REMARKS

Claims 24-53 are pending in the instant application upon the entry of the above amendment of claims. Claims 1-23 have been cancelled without prejudice or disclaimer. Applicant has added claims 49-53 which are supported in the original claims, especially claim 7, and also in the specification, for example, at page 46, the first full paragraph. No new matter has been introduced.

Applicant hereby elects the subject matter of Group XXI, namely, claims 1-23 to the extent that they are drawn to a polypeptide comprising the amino acid sequence of SEQ ID NO:46.

At the same time, following the examiner's suggestion during the telephone interview held January 4, 2002, applicant presents a new set of claims, claims 49-53, for the purpose of examination on the merits, as a substitute of the elected group XXI. New claims 49-53 are directed to a compound comprising the amino acid sequence set forth in SEQ ID NO:46 and its variants obtained by substitutions at position number 9 of SEQ ID NO:46. Amino acid sequences of SEQ ID Nos: 44 and 45 are specific examples of such variants. However, such variants result